

Coast Guard, DHS

§ 1.03–40

to authority delegated by the Commandant is final agency action on the appeal.

[CGD 88–033, 54 FR 50376, Dec. 6, 1989]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 1.03–15, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 1.03–20 Appeals from decisions or actions of an OCMI.

Any person directly affected by a decision or action of an OCMI may, after requesting reconsideration of the decision or action by the cognizant OCMI, make a formal appeal of that decision or action, via the office of the cognizant OCMI, to the District Commander of the district in which the office of the cognizant OCMI is located, or in the case of the Officer in Charge, Activities Europe, to the Atlantic Area Commander, in accordance with the procedures contained in § 1.03–15 of this subpart.

[USCG–2006–24520, 71 FR 35818, June 22, 2006]

§ 1.03–25 Appeals from decisions or actions of a District Commander.

Any person directly affected by a decision or action of a District Commander made pursuant to § 1.03–20 of this subpart, may make a formal appeal of that decision or action, via the office of the cognizant District Commander, to the Commandant, in accordance with the procedures contained in § 1.03–15 of this subpart.

§ 1.03–30 Appeals from decisions or actions of the Marine Safety Center.

(a) Any person directly affected by a decision or action of the Marine Safety Center involving tonnage measurement or which otherwise affects a new vessel or plans for a vessel to be built may, after requesting reconsideration of the decision or action by the Commanding Officer, Marine Safety Center, make a formal appeal, of that decision or action, via the Commanding Officer, Marine Safety Center, to the Commandant, in accordance with the procedures contained in § 1.03–15 of this subpart.

(b) Any person directly affected by a decision or action of the Marine Safety

Center not involving tonnage measurement but which otherwise affects an existing vessel, prior to initiating a formal appeal, must request review of that decision or action by the cognizant OCMI. Following review by the cognizant OCMI, the decision or action under review may be appealed to the District Commander, in accordance with the procedures contained in § 1.03–20 of this subpart.

[CGD 97–057, 62 FR 51040, Sept. 30, 1997, as amended by USCG–1998–4442, 63 FR 52188, Sept. 30, 1998]

§ 1.03–35 Appeals from decisions or actions of a recognized classification society acting on behalf of the Coast Guard.

(a) Any person directly affected by a decision or action of a recognized classification society performing plan review, tonnage measurement, or load line assignment on behalf of the Coast Guard may, after requesting reconsideration of the decision or action by the classification society, make a formal appeal, via the classification society headquarters, to the Commandant, in accordance with the procedures contained in § 1.03–15 of this subpart.

(b) Any person directly affected by a decision or action of a recognized classification society acting as a marine inspector, as defined in § 30.10–43 of this chapter, on behalf of the Coast Guard, prior to initiating a formal appeal, must request review of that decision or action by the cognizant OCMI. Following review by the cognizant OCMI, the decision or action under review may be appealed to the District Commander, in accordance with the procedures contained in § 1.03–20 of this subpart.

[CGD 88–033, 54 FR 50376, Dec. 6, 1989, as amended by CGD 97–057, 62 FR 51041, Sept. 30, 1997]

§ 1.03–40 Appeals from decisions or actions of the National Maritime Center.

Any person directly affected by a decision or action of an officer or employee of the National Maritime Center (NMC) involving any of the marine safety functions listed in § 1.01–15(c) of this subpart may, after requesting reconsideration of the decision or action